

REMARKS

Applicants request favorable reconsideration and withdrawal of the rejection set forth in the outstanding Office Action in view of the foregoing amendments and the following remarks.

Claims 1, 2, 4 and 5 remain pending, with claims 1 and 4 being independent claims.

Claims 3 and 6 have been cancelled without prejudice or disclaimer of subject matter. Claims 1 and 4 have been amended. Support for the amendments can be found throughout the originally-filed disclosure, including, for example, at page 22, lines 15-18 of the specification, as well as at page 24, lines 12-15 and 21-25 of the specification. Thus, Applicants submit that the amendments do not include new matter.

Claims 1-6 are rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Bogoshian (U.S. Patent Application Pub. No. 2005/0135847) in view of Uehara et al. (U.S. Patent Application Pub. No. 2004/0057741) and Tanaka et al. (U.S. Patent Application Pub. No. 2005/0042534).

Applicants respectfully traverse the rejection. Nevertheless, without conceding the propriety of the rejection, Applicants have clarified features of the claimed invention that are not disclosed or suggested by the cited references. To this end, Applicants submit that the claimed invention is patentably distinguishable from the cited references for at least the following reasons.

Amended independent claim 1 recites a fixing method wherein, inter alia, an unfixed toner image is fixed when a recording medium passes through at least two fixing units arranged in series in a conveying direction of the recording medium. Further in the method of amended

independent claim 1, the maximum temperature T1 on a recording medium when the recording medium passes through a first fixing unit is 110 to 160 °C, and a maximum temperature Y2 on the recording medium when the recording medium passes through a second fixing unit is 140 to 190 °C. Still further in the method amended independent claim 1, a peak temperature of a maximum endothermic peak is in a range of 60 to 140 °C in an endothermic curve in differential scanning calorimetry on the toner. These features of the invention make it possible, for example, to obtain images having high, uniform gloss irrespective of a toner amount on the recording medium.

Amended independent claim 4 recites a fixing device that includes analogous features to the features recited in the method of claim 1.

The Office Action cites Bogoshian as disclosing some of the features of the invention, including fixing a toner image on a recording medium that passes through two fixing units 10 and 100 arranged in series.

Applicants submit, however, that Bogoshian does not disclose or suggest the combination of maximum temperatures on the recording medium in amended independent claim 1 and 4.

Bogoshian discloses a temperature of 375 °F, which is about 191 °C, being applied from fuser roll 16 in the fusing device 10. See paragraph 0045. Further, Bogoshian discloses a temperature of 400 °F, which is about 204 °C, being applied from fuser roll 102 in the fusing device 100. See paragraph 0046. Hence, Bogoshian discloses temperatures being applied on the recording medium in the fusing devices 10 and 100 that are greater than the maximum temperature ranges on the recording medium recited in amended independent claims 1 and 4.

Applicants further submit that Bogoshian does not, in general, include any detailed description of the toner used in conjunction with the fusing devices 10 and 100. Hence, in this respect, the reference cannot be taken to suggest to one of ordinary skill in the art to modify the temperature of the fusing devices. Moreover, the reference could not be taken to suggest that a peak temperature of a maximum endothermic peak is in a range of 60 to 140 °C in an endothermic curve in differential scanning calorimetry on the toner in combination with the maximum temperatures of the fixing units, as recited in amended independent claims 1 and 4.

Applicants further submit that the secondary citations to Uehara et al. and Tanaka et al. fail to cure the above-noted deficiencies of Bogoshian. Uehara et al. and Tanaka et al. are cited in the Office Action as suggesting features recited in the dependent claims. In Applicants' view, however, even if Uehara et al. and Tanaka et al. are taken collectively with Bogoshian, the references fail to disclose or suggest the combination of features recited in amended independent claims 1 and 4.

For at least the foregoing reasons, Applicants submit that the references cited in the Office Action fail to disclose or suggest the invention recited in independent claims 1 and 4.

The dependent claims also should be deemed allowable, in their own right, for defining other patentable features of the present invention in addition to those recited in the independent claims. Applicants request further individual consideration of these dependent claims.

Applicants submit the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the Office Action, and a Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Donald H. Heckenberg, Jr./

Donald H. Heckenberg, Jr.
Attorney for Applicants
Registration No. 60,081

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
DHH:atb

FCHS_WS 3261243v1